

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SEAN D. WILLIAMS,

Plaintiff,

v.

PHILLIP BERNOT,
in his individual capacity

Defendant.

CIVIL ACTION NO.
18-2773

ORDER

AND NOW, this 8th day of June, 2020, upon consideration of Defendant's Motion to Dismiss for Lack of Prosecution (ECF No. 91) and Plaintiff's Response in Opposition (ECF No. 93); and after a hearing held on Defendant's motion on May 14, 2020, **IT IS ORDERED** as follows:

1. Defendant's Motion for to Dismiss for Lack of Prosecution is **DENIED**.
2. The Court imposes a sanction of a set off in the sum of \$10,000 against any judgment entered in favor of Plaintiff. In other words, should a favorable verdict be entered as a judgment in favor of the Plaintiff at trial, the Court will, by this order, reduce it by the sum of \$10,000.

BY THE COURT:

/s/ Henry S. Perkin
HENRY S. PERKIN
United States Magistrate